

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

Attorney's Docket Number

4.0011

Application No.

09/673476

| | | |
|--------------------------------|---------------------------|-----------------------|
| International Application. No. | International Filing Date | Priority Date Claimed |
| PCT/IB99/00740 | April 16, 1999 | April 16, 1998 |

Title of Invention:

A METHOD FOR ISOLATING A POLYNUCLEOTIDE OF INTEREST FROM THE GENOME OF A MYCOBACTERIUM
USING A BAC-BASED DNA LIBRARY. APPLICATION TO THE DETECTION OF MYCOBACTERIA

Applicant(s) For DO/EO/US:

Stewart COLE, Roland BUCHRIESER-BROSCH, Stephen GORDON and Alain BILLAULT

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US)
the following items and other information:

1. ☒ This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☒ Annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.
14. ☐ A SECOND or SUBSEQUENT preliminary amendment.
15. ☐ A substitute specification.
16. ☒ A change of power of attorney and/or address letter.
17. ☒ Other items or information:
 - a. ☐ Verified Small Entity Statement.
 - b. ☐ Copy of Notification of Missing Requirements.
 - c. ☒ Copy of Cover Page of WIPO Publication (1 sheet).
 - d. ☒ Sequence Listing (11 pages).

09/67347

17. [X] The following fees are submitted:

CALCULATIONS

Basic National Fee (37 CFR 1.492(a)(1)-(5)):

Search Report has been prepared by the EPO or JPO.....\$860.00
 International preliminary examination fee paid to
 USPTO (37 CFR 1.482).....\$690.00
 No international preliminary examination fee paid to
 USPTO (37 CFR 1.482) but international search fee
 paid to USPTO (37 CFR 1.445(a)(2)).....\$760.00
 Neither international preliminary examination fee
 (37 CFR 1.482) nor international search fee
 (37 CFR 1.445(a)(2)) paid to USPTO.....\$1,000.00
 International preliminary examination fee paid to USPTO
 (37 CFR 1.482) and all claims satisfied provisions
 of PCT Article 33(1)-(4).....\$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT = \$ 860.00

Surcharge of \$130.00 for furnishing the oath or declaration later than
 [] 20 [] 30 months from the earliest claimed priority date
 (37 CFR 1.492(e)).

| Claims | Number Filed | Number Extra | Rate | |
|---|--------------|--------------|-----------|---------------------|
| Total Claims | 55 -20= | 35 | X \$18.00 | \$ 630.00 |
| Independent Claims | 4 - 3= | 1 | X \$80.00 | \$ 80.00 |
| Multiple dependent claim(s) (if applicable) | | | +\$270.00 | \$ 270.00 |
| TOTAL OF ABOVE CALCULATIONS | | | | = \$1,840.00 |

Reduction by 1/2 for filing by small entity, if applicable. Verified
 Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28)

SUBTOTAL = \$1,840.00

Processing fee of \$130.00 for furnishing the English translation later
 than [] 20 [] 30 months from the earliest claimed priority date
 (37 CFR 1.492(f)).

TOTAL NATIONAL FEE = \$1,840.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The
 assignment must be accompanied by an appropriate cover sheet
 (37 CFR 3.28, 3.31).

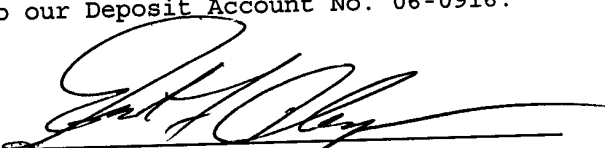
\$40.00 per property + \$
TOTAL FEES ENCLOSED = \$1,840.00

Amount to be
 refunded \$
 charged \$

- a. [X] A check in the amount of \$1,840.00 to cover the above fees is enclosed.
 b. [] Please charge my Deposit Account No. _____ in the amount of
 \$ _____ to cover the above fees. A duplicate copy of this sheet is
 enclosed.
 c. [X] The Commissioner is hereby authorized to charge any additional fees
 which may be required, or credit any overpayment to Deposit Account
 No. 06-0916. A duplicate copy of this sheet is enclosed.

The Commissioner is hereby authorized to charge any other fees due under 37 C.F.R. §1.16
 or §1.17 during the pendency of this application to our Deposit Account No. 06-0916.

SEND ALL CORRESPONDENCE TO:
 Finnegan, Henderson, Farabow
 Garrett & Dunner, L.L.P.
 1300 I Street, N.W.
 Washington, D.C. 20005-3315
 EFC/FPD/rgm


 Ernest F. Chapman
 Reg. No. 25,961

Submitted: October 16, 2000

patent application serial no.

*Department of Commerce
Patent and Trademark Office
fee record*

10/05/2000 ABIZAW 00000077 03873476

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|----|--------|--------|----|
| 02 | FD:370 | 850.00 | DP |
| 01 | FD:380 | 850.00 | DP |
| 03 | FD:384 | 80.00 | DP |
| 04 | FD:308 | 270.00 | DP |